

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NOS. 88-176-E/89-70-E - ORDER NO. 93-223  
MARCH 11, 1993

IN RE: DOCKET NO. 88-176-E	)	
Berkeley Electric Cooperative,	)	
Inc., vs. South Carolina	)	
Electric & Gas Company -	)	
Quail Hollow Subdivision/	)	
West Point Subdivision	)	ORDER CLOSING
	)	DOCKETS
DOCKET NO. 89-70-E	)	
South Carolina Electric &	)	
Gas Company, vs. Berkeley	)	
Electric Cooperative, Inc. -	)	
Long Pointe Subdivision/	)	
Town of Mt. Pleasant	)	

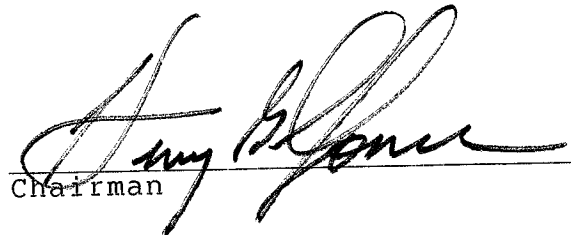
This matter comes before the Public Service Commission of South Carolina (the Commission) on the June 17, 1992 request of Belton T. Zeigler, Associate General Counsel of South Carolina Electric & Gas Company (SCE&G) that the Commission dismiss these actions and close these Dockets. Zeigler states that these Dockets have lain dormant pending a ruling by the South Carolina Supreme Court concerning the validity of a 1982 franchise agreement entered into between the Town of Mt. Pleasant and Berkeley Electric Cooperative, Inc. Zeigler asserts that the South Carolina Supreme Court ruled in Berkeley Electric Cooperative, Inc. vs. Town of Mt. Pleasant, Davis Advance Sheets No. 12, South Carolina File 42792 (1992), that the franchising question was invalid. Accordingly,

SCE&G respectfully requests the Commission to dismiss the action and close the Dockets in question. All parties to the Dockets were provided with notification of SCE&G's request, but none responded.

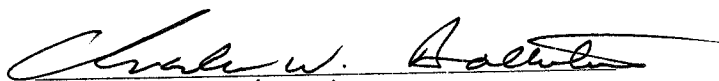
The Commission has examined the Supreme Court decision referred to by Mr. Zeigler and agrees that the franchising question therein was held to be invalid and also agrees that that decision directly affects the Dockets herein, in effect, rendering them moot. Because of the above stated reasoning, it is therefore ordered that:

1. The actions in these Dockets shall be dismissed.
2. The Dockets shall be closed.
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)